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8 *State Controller Betty T. Yee*

9
10 IN THE UNITED STATES DISTRICT COURT
11 FOR THE NORTHERN DISTRICT OF CALIFORNIA
12 OAKLAND DIVISION

13 **ALEXANDER COTÉ,**

14 Plaintiffs,

15 **v.**

16
17 **OFFICE OF THE CALIFORNIA STATE**
18 **CONTROLLER, AND BETTY T. YEE IN**
19 **HER OFFICIAL CAPACITY AS**
20 **CONTROLLER OF THE STATE OF**
21 **CALIFORNIA,**

22 Defendants.

4:22-cv-04056-HSG

**STIPULATION AND ORDER TO
CONTINUE BRIEFING ON PENDING
MOTIONS**

Related Cases:

Cole-Kelly v. State of California, et al., No. 22-
cv-02841-HSG

*Sykes v. Office of the California State
Controller, et al.*, No. 22-cv-04133-HSG

23 **STIPULATION**

24 Under Northern District Local Civil Rule 6-2, Plaintiffs Alison Cole-Kelly, Alexander Coté
25 and Jennifer I. Sykes, and Defendants the Office of the California State Controller and Betty T.
26 Yee, named in her official capacity as Controller of the State of California, stipulate and agree to
27 the following:
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1 1. On May 13, 2022, Plaintiff Alison Cole-Kelly filed her complaint.

2 2. On May 26, 2022, and June 6, 2022, respectively, Alexander Coté and Jennifer I.
3 Sykes filed complaints in the Central District of California.

4 3. On July 11, 2022, *Cote v. Yee, et al.*, was ordered transferred from the Central District
5 of California to the Northern District of California. On July 14, 2022, *Sykes v. Yee, et al.*, was
6 ordered transferred from the Central District of California to the Northern District of California.

7 4. On July 25, 2022, the Court ordered *Cote* and *Sykes* related to *Cole-Kelly v. State of*
8 *California*.

9 5. On August 5, 2022, Defendant moved to dismiss this case (ECF 32), and the related
10 *Cole-Kelly* and *Sykes* cases. The hearing on these motion is scheduled for December 1, 2022.

11 6. Also on August 5, 2022, Coté and Sykes filed a Motion to Consolidate Related Cases
12 and Appoint Interim Class Counsel in *Cole-Kelly v. State of California*. (ECF 24.) Under Civil
13 Local Rule 7-3, oppositions to all motions are due by August 19; reply briefs are due by August
14 26. The hearing on this motion is scheduled for November 17, 2022.

15 7. The parties stipulate and agree that the dates for the parties to file oppositions and
16 replies to all the above-described motions shall be continued to dates to be determined at the
17 August 23, 2022 Initial Case Management Conference. The parties further stipulate and agree
18 that hearing dates for the above-described motions shall also be discussed with the Court at the
19 August 23 Initial Case Management Conference. By stipulating to extensions of briefing on the
20 motions, the parties do not waive any right to move to have Defendants' motions to dismiss
21 briefed and decided before any further briefing or hearing on the Motion to Consolidate Related
22 Cases and Appoint Interim Class Counsel.

23 IT IS SO STIPULATED.
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1 Dated: August 11, 2022

2 ROB BONTA
3 Attorney General of California
4 ANYA M. BINSACCA
5 Supervising Deputy Attorney General

6 */s/ Jay C. Russell*
7 JAY C. RUSSELL
8 Deputy Attorney General
9 *Attorneys for Defendants Office of the*
10 *California State Controller and Betty T. Yee,*
11 *in her official capacity as Controller of the*
12 *State of California*

13 Dated: August 11, 2022

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Attorneys for Plaintiff Alison Cole-Kelly

1 Dated: August 11, 2022

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*ATTORNEYS FOR PLAINTIFFS ALEXANDER
COTÉ, JENNIFER I. SYKES AND THE CLASS*

22 **ORDER**

23 Under the above stipulation, and good cause appearing, it is so ordered.

24
25 DATED: 8/12/2022

26 
27 THE HONORABLE HAYWOOD S. GILLIAM, JR.
28 UNITED STATES DISTRICT COURT JUDGE

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